

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1671  
Wednesday, October 28, 1987, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Doherty, 2nd Vice-Chairman	Carnes	Frank	Linker, Legal Counsel
Draughon	Crawford	Gardner	
Kempe	Rice	Matthews	
Paddock, 1st Vice-Chairman	Wilson	Setters	
Parmeale, Chairman			
VanFossen, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 27, 1987 at 9:55 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:35 p.m.

**REPORTS:**

**Committee Reports:**

Mr. Paddock advised the **Rules & Regulations Committee** had met this date and recommends to the TMAPC that the Zoning Matrix be added as an appendix to the City and County Zoning Codes. Mr. Paddock requested this be placed on the November 4, 1987 TMAPC agenda.

Mr. Paddock stated the Rules & Regulations Committee also began a discussion and review of the Zoning Code as relates to signage. He announced the Committee will reconvene on November 24th to continue discussions, and a copy of that agenda will be sent to those in attendance at today's meeting.

**Director's Report:**

- a) Request to call for a public hearing to consider approval of an amendment to the Comprehensive Master Plan, being the District Plan Map and/or Text for District 7 pertaining to type of development in Area D and for District 9 pertaining to the Arkansas River Corridor Special District, and related matters. Staff suggests November 18, 1987.

**TMAPC ACTION: 6 members present**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Kempe, Paddock, Parmele, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Draughon, Rice, Wilson, "absent") to **APPROVE** a Public Hearing date of **November 18, 1987** to review an amendment to the **District 7** and **District 9** Plan Text and/or Maps, as recommended by Staff and outlined above.

Director's Report - Cont'd

- b) Request to call for a public hearing to consider approval of an amendment to the Comprehensive Master Plan, being the District Plan Map and/or Text for District 17 pertaining to establishing a Special District at the intersection of East 21st Street South and South 145th East Avenue and related matters. Staff suggests December 2, 1987.
- c) Request to call for a public hearing to consider approval of an amendment to the Comprehensive Master Plan, being the District Plan Map and/or Text for District 18 pertaining to deletion of the Corridor designation from along the east side of the Riverside Parkway between Interstate Highway 44 Skelly Bypass and East 91st Street South, west of South Peoria and west of South Lewis. Staff suggests December 2, 1987.

**TMAPC ACTION: 6 members present**

On **MOTION** of **VANFOSSEN**, the TMAPC voted **6-0-0** (Doherty, Kempe, Paddock, Parmele, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Draughon, Rice, Wilson, "absent") to **APPROVE** a Public Hearing date of **December 2, 1987** to review an amendment to the **District 17** and **District 18** Plan Text and/or Maps, as recommended by Staff and outlined above in (b) and (c).

- d) Request to call a public hearing to consider approval of an amendment to the Tulsa City/County Major Street & Highway Plan, a part of the Comprehensive Master Plan, and the District 13 Plan Map to designate East 176th Street North, East 166th Street North and East 156th Street North between North Harvard and Yale Avenue as Secondary Arterial Streets. Staff suggests November 18, 1987.

**Comments & Discussion:**

Regarding East 156th Street North, Mr. Doherty commented that this portion should possibly be considered for a Primary Arterial Street designation, and he requested that traffic volumes be reviewed.

**TMAPC ACTION: 7 members present**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE** a Public Hearing date of **November 18, 1987** to review an amendment to the **District 13** Plan Text and/or Maps, as recommended by Staff and outlined above.

## ZONING PUBLIC HEARING:

Application No.: Z-6177

Applicant:- Parmele Real Estate (Allen & Todd)

Location: 101 West 81st Street South

Size of Tract: 60 acres, approximate

Date of Hearing: October 28, 1987

Presentation to TMAPC by: Mr. Dennis Hall, 4724 South Union

Present Zoning: AG

Proposed Zoning: IL

(446-3311)

### Relationship to the Comprehensive Plan:

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - Industrial, Special District Jones Airport, Public and Development Sensitive.

According to the "Zoning Matrix", the requested IL District is in accordance with the Plan Map.

### Staff Recommendation:

**Site Analysis:** The subject tract is approximately 60 acres in size and is located east of the northeast corner of South Union Avenue and West 81st Street South. It is partially wooded, flat, contains a single-family dwelling and several detached accessory buildings, and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted on the north and east by vacant property, zoned AG and IL; on the south by the Riverside Airport, zoned IL; and on the west by scattered single-family dwellings on large tracts, zoned AG.

**Zoning and BOA Historical Summary:** Industrial zoning, more particularly IL zoning, has been approved in the immediate area of the subject tract.

**Conclusion:** Based on the Comprehensive Plan and existing zoning patterns in the area, Staff can support the requested IL zoning.

Therefore, Staff recommends **APPROVAL** of IL zoning for Z-6177 as requested.

**NOTE:** There may be some development restraints due to the subject tract's location adjacent to the Jones (Riverside) Airport and the 100 year floodplain. All buildings must be setback 75 feet from the AG zoning boundary line.

### Comments & Discussion:

Chairman Parmele stated he would, for obvious reasons, be abstaining on this matter; therefore, he turned the meeting over to First Vice-Chairman Paddock. Mr. Dennis Hall, representing the applicant, confirmed agreement with the Staff recommendation.

**TMAPC ACTION: 6 members present**

On **MOTION** of **KEMPE**, the TMAPC voted **5-0-1** (Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; Parmele, "abstaining"; Carnes, Crawford, Draughon, Rice, Wilson, "absent") to **APPROVE Z-6177 Parmele Real Estate (Allen & Todd) for IL zoning**, as recommended by Staff.

Mr. VanFossen commented that, in the future, some consideration should be given to some form of downzoning for the area between Elwood Avenue and the subject tract due to the close proximity to the residential zoning. Mr. Gardner stated the Comprehensive Plan, in this particular area, included the subject property but not those properties fronting onto Elwood Avenue. However, Staff did review this case, and the irregular shaped boundaries were based on topography. He pointed out there was a substantial decrease in elevations from the subject tract and those on Elwood Avenue.

Mr. Hall requested early transmittal of the minutes of this hearing so as to proceed with placement on the City Commission agenda.

**TMAPC ACTION: 6 members present**

On **MOTION** of **DOHERTY**, the TMAPC voted **5-0-1** (Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; Parmele, "abstaining"; Carnes, Crawford, Draughon, Rice, Wilson, "absent") to **APPROVE the Early Transmittal** of the TMAPC minutes for Z-6177 Parmele Real Estate (Allen & Todd) to the City Commission, as recommended by Staff.

**Legal Description:**

The NE/4 of the SW/4 of Section 12, T-18-N, R-12-E, Tulsa County, Oklahoma; AND the W/2 of the SE/4 of the SW/4 of Section 12, T-18-N, R-12-E, Tulsa County.

\* \* \* \* \*

Application No.: PUD 433 Present Zoning: RS-2 & CS  
Applicant:- Nichols (Lewis) Proposed Zoning: Unchanged  
Location: NW/c of East 11th Street & South 131st East Avenue  
Size of Tract: 5 acres, approximate  
Date of Hearing: October 28, 1987  
Presentation to TMAPC by: Mr. Bob Nichols, 111 West 5th (582-3222)

**Staff Recommendation:**

The subject tract has a gross area of approximately five acres and is located at the northwest corner of East 11th Street and South 131st East Avenue. No change is requested in the underlying zoning, which is CS on the East 11th Street frontage and RS-2 on the balance. Existing uses of this tract are both residential and commercial uses including automobile repair and sales. It is proposed that the subject tract be divided into the following Development Areas: Area 1 - automobile repair and services; Area 2 - retail sales; Area 3 - automobile and truck sales and services; and Area 4 - recreational vehicle parking and storage. The zoning of abutting property which has frontage on East 11th Street includes CH Commercial High Intensity and CS Shopping Center District; various types of commercial and industrial uses have been developed along the East 11th Street frontage. Abutting property east of South 131st East Avenue and north of the commercial development along East 11th Street has been developed for duplexes in an RM-1 District.

The purpose of PUD 433 is to define commercial development in Areas 1, 2, and 3, and allow commercial uses to be transferred to Area 4 (the north 2.67 acres of the tract) for parking and storage of recreational vehicles, motor homes and boats.

Although the proposed use in Area 4 could be considered an interim use, Staff is concerned that it could also be considered encroachment into an area which has some residential uses. The Outline Development Text and Plan does not specifically indicate what safeguards would be imposed to assure compatibility and proper land use relationships if PUD 433 was approved (screening, sign control buffering, etc.).

Therefore, Staff finds that PUD 433 is not in harmony with the existing and expected development of surrounding areas and recommends **DENIAL** of PUD 433. If the Commission, however, is supportive of the concept of PUD 433, Staff suggests the following development standards be conditions of approval.

1) That the applicant's Outline Development Plan and Text be made a condition of approval as revised herein.

2) **Development Standards:**

Land Area (Gross):	220,849 sf	5.07 acres
(Net):	192,100 sf	4.41 acres

AREA 1

Land Area (Net): 38,440 sf .88 acres  
Permitted Uses: Uses as permitted by right in a CS District excluding bars, taverns, nightclubs, and dance halls. Uses permitted by Special Exception in Use Unit 17. Storage of inoperative or unlicensed vehicles is not permitted.  
Maximum Building Height: One story or 26'  
Maximum Building Floor Area: 7,500 sf  
Minimum Off-Street Parking: As required by the applicable Use Unit.  
Minimum Building Setbacks:  
from C/L of East 11th Street 100'  
from West Boundary None required  
from East Boundary None required  
from North Boundary 100'  
Minimum Landscaped Open Space: 5% \*

AREA 2

Land Area (Net): 20,460 sf .47 acres  
Permitted Uses: Uses as permitted by right in a CS District excluding bars, taverns, nightclubs, and dance halls.  
Maximum Building Height: One story or 26'  
Maximum Building Floor Area: 6,500 sf  
Minimum Off-Street Parking: As required by the applicable Use Unit.  
Minimum Building Setbacks:  
from C/L of East 11th Street 100'  
from West Boundary None required  
from East boundary None required  
from North Boundary 100'  
Minimum Landscaped Open Space: 5% \*

\* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. Applies to future development or redevelopment only in Areas 1 and 2.

AREA 3

Land Area (Net): 17,027 sf .39 acres  
Permitted Uses: Uses as permitted by right in a CS District excluding bars, taverns, nightclubs, and dance halls. Uses permitted by Special Exception in Use Unit 17. Storage of inoperative or unlicensed vehicles is not permitted.  
Maximum Building Height: One story or 26'  
Maximum Building Floor Area: 4,000 sf  
Minimum Off-Street Parking: As required by the applicable Use Unit.  
Minimum Building Setbacks:  
from C/L of East 11th Street 100'  
from C/L of S. 131st E. Ave. 50'  
from West Boundary None required  
from North Boundary None required  
Minimum Landscaped Open Space: 5% \*

\* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. Applies to future development or redevelopment only in Area 3.

AREA 4

Land Area (Net): 116,345 sf 2.67 acres  
Permitted Uses: Only Use Unit 17 uses for storage of recreational vehicles, motor homes, boats and similar vehicles is permitted. Storage of inoperative or unlicensed vehicles is not permitted. The hours of operation shall be limited to Monday - Saturday, 7:00 a.m. to 7:00 p.m., and Sunday from noon to 6:00 p.m.  
Maximum Building Height: One story or 26'  
Maximum Building Floor Area: 900 sf for accessory office uses  
Minimum Off-Street Parking: 3 spaces, and as required for on-site parking of vehicles leaving or entering the storage area.

PUD 433 Nichols (Lewis) - Cont'd

Minimum Building Setbacks: \*  
from C/L of S. 131st E. Ave. 75'  
from West Boundary 50'  
from South Boundary 25'  
Minimum Landscaped Open Space: 20% of net \*\*

- \* No buildings, permanent or temporary, are permitted in the north 400' of Area 4.
- \*\* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. Applies to future development or redevelopment only in Area 4. In lieu of the required 6' screening fence, a 15' landscape buffer of evergreen trees or shrubs (a minimum of 4' tall at planting) shall be installed and maintained along the north 375' of the east, west, and north boundaries of Area 4 outside the proposed security fencing. The area and grounds around the office area shall be maintained in grass and other landscaping materials as required by the TMAPC in accordance with a Detail Landscape Plan.
- 3) That all trash, mechanical and equipment areas shall be screened from public view.
  - 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas. The height of parking lot lighting is restricted to a maximum of 12' in the north 350' of Area 4.
  - 5) All new signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code, except no signs in Area 4 are permitted in the north 375' and permitted signs in Area 4 are limited to one ground sign (internally lighted by constant light) a maximum of 20' tall with a display surface area not to exceed 32 square feet.
  - 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit. Buffers and screening shall be provided along the boundaries of Area 4 as specified in the Development Standards and simultaneous approval of the Detail Site Plan and Detail Landscape Plan by the TMAPC is required.
  - 7) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
  - 8) That a Detail Site Plan shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit, and shall include the Detail Landscape Plan.

PUD 433 Nichols (Lewis) - Cont'd

- 9) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

**NOTE:** The City Board of Adjustment recently denied the proposed use per BOA 14577. A Special Exception Kennel for keeping more than three dogs was also denied in the RS-2 area, and a special exception to delete the screening fence requirement in what would be Area 4 of PUD 433 was denied. Nothing contained in the "Suggested" development standards grants the applicant relief from these requirements of the Zoning Code.

Applicant's Comments:

Mr. Bob Nichols stated he had reviewed the Staff recommendation with his client who had no problem with the listed development standards and/or conditions of approval. Mr. Nichols reviewed an aerial photo pointing out the subject tract in relation to the surrounding physical features. He commented on the existing uses in Areas 1, 2 and 3, and stated the intended use for the remainder of the tract (Area 4) was for storage of recreational vehicles and motor homes. Mr. Nichols stressed this area would be used strictly for storage as no retail or sales was proposed. He then reviewed the access points, stating the units being stored would not be going past the residential area to the west.

Chairman Parmele confirmed that Areas 1, 2 and 3 were in place and the request was, basically, for Area 4. Mr. Doherty inquired as to the surface materials to be used for the lot. Mr. Nichols deferred this to Mr. Gardner for comment. Mr. Gardner stated there were varying degrees of asphalt permitted, but whatever was used would have to be a dust-free, all-weather surface, and have some type of hardening agent, as a gravel lot was not permitted. In further response to Mr. Doherty, Mr. Gardner advised that whatever was installed would have to meet the Code.

Mr. VanFossen commented on inoperative vehicles currently stored in Area 3. Mr. Nichols stated that he has met with his clients regarding this, and advised them they would have to get this lot in compliance with the zoning in place, and they intended to have the lot in compliance with the CS zoning district.

Mr. Paddock, confirming the purpose of the PUD was to transfer intensities to allow the storage of motor vehicles, inquired as to the need for a PUD rather than just straight CS zoning on the remainder of the tract. Mr. Nichols replied he felt five acres was too deep for CS with all the uses allowable under CS zoning. He further commented that allowing just this particular use under the conditions imposed was much different than allowing a convenience store to be located into this section (600' deep). Mr. Nichols stated that the PUD application, in essence, "fine tunes" the CS zoning in place on 11th Street to allow this interim use in a nonobjectionable way. Mr. Paddock inquired as to the significance of the

phrase "interim use". Mr. Nichols stated an asphalt lot to be used for a storage area was of a more "interim" nature, which could later be converted, than would be a building or structure that might be in place for several years.

Mr. Paddock asked Mr. Nichols to respond to the statement in the Staff recommendation that this PUD was "not in harmony with the existing and expected development of surrounding areas". Mr. Nichols stated there appeared to be a difference of opinion in this matter as he felt this PUD was in harmony. Referring to the aerial photographs, he pointed out this was a developing area and that all abutting land, except to the north, had been developed. Mr. Nichols commented the only residential use was the duplexes to the east, and the property in the south part of this PUD was owned by his client and was used for a higher intensity than the proposed uses on the north 2.7 acres under application. Therefore, he could not understand how the PUD was inharmonious, other than being less intense than the commercial use to the south and the uses on the east.

In reply to Mr. Draughon, Mr. Gardner clarified that the recreational vehicles, motor homes, boats, etc. were typical of some storage areas, and these were operational and licensed vehicles. He further stated that should any inoperative or unlicensed vehicles be stored, it would be in violation of the condition for permitted uses in Area 4. Mr. Nichols mentioned that the applicant has not been ticketed or cited for any violations, and this application was not made in response to any cease and desist order.

Mr. Paddock commented that in Areas 1, 2 and 3 the minimum landscaped open space was set at 5%, and he inquired if this was the existing open space or if this would be the percentage after changes were made. Mr. Nichols confirmed this was existing open space.

Review Session:

Mr. Doherty inquired if a condition restricting occupancy or construction in Area 4 until removal of any inoperative or unlicensed vehicles would present any legal problems or if this would be a reasonable condition. Mr. Linker commented that the two were not necessarily related. However, the Commission might, since the applicant has volunteered in this instance, impose a condition that the vehicles be removed within a certain length of time and the approval be subject to this action. Chairman Parmele also suggested making a condition of approval that the berming and landscaping be in place prior to occupancy/construction. Mr. Nichols stated he would not object to a condition that the applicant be in compliance as to the inoperative/unlicensed vehicles prior to the City Commission hearing in three or four weeks. Chairman Parmele noted there were no protestants in attendance.

Mr. VanFossen stated that with the above considerations and amended conditions, he could be in favor of the PUD as he felt the PUD itself was basically good, however, he did not favor the existing conditions. Mr. VanFossen suggested an amendment to condition #3 to make "mechanical and equipment areas" be more definitive as to screening. Mr. Gardner advised that, under the present zoning, the applicant was not required to screen anything east and west as these areas were in alignment with existing commercial. He continued by stating that, technically, the only area that might require screening would be the north boundary if they constructed new buildings.

In regard to condition #4 regarding the parking lot lighting, Mr. VanFossen suggested adding "and shall not create a light level greater than one-half foot candle at the location of any residence in the area". Mr. VanFossen further suggested including a condition that restricted guard dogs or other obtrusive noise systems from Area 4. Discussion followed as to this particular suggestion with Mr. VanFossen withdrawing the suggestion based on advise from Legal Counsel, as guard dogs and/or alarm systems would be very difficult, if not impossible, to regulate. Further, this would be getting into a new area that would need to be imposed on all similar situations, and not just this applicant.

Mr. Paddock asked Staff as to their basis in the recommendation that this PUD was not in harmony with the surrounding areas. Mr. Gardner stated this was based on the manner in which the Comprehensive Plan addressed this area, as the Plan indicates this should be residential or low intensity. Mr. Paddock inquired how the 5% minimum landscaping requirement in this PUD compared with the TMAPC's decision on other PUD's of this nature. Mr. Gardner stated that the 5% basically recognized what was already developed, and it further placed a limitation on Areas 1, 2 and 3, whereas there previously was no limitation. Mr. Paddock then questioned how this carried out the objective of a PUD, which was to provide meaningful open space. Mr. Gardner commented that, essentially, the entire PUD was commercial and, while 10% would have been the standard, Areas 1, 2 and 3 were currently developed, and the higher percent (20%) was placed in Area 4 which has yet to be developed.

Mr. Paddock remarked he had some real problems with the PUD. He added that sometimes this Commission has approved a particular PUD on the basis that it would actually improve an area. However, he heard nothing today that this PUD will improve existing Areas 1, 2 and 3. Mr. Paddock stated further that he did not think a commercial use this far back from 11th Street was appropriate as it disregarded the Comprehensive Plan and Map. For these reasons, Mr. Paddock stated he could not support this PUD, even with the suggested amendments for improving the PUD.

**PUD 433 Nichols (Lewis) - Cont'd**

Mr. Draughon stated he favored this PUD with the amended conditions. He inquired as to what assurances the Commission had that the Inoperative and/or unlicensed vehicles would be cleaned up before the City Commission hearing. Mr. Gardner advised that Code already provided the Building Inspector a position to issue a citation on any zoning violations, and the willingness on the part of the applicant to address this offered further assurance. Chairman Parmele questioned who would make a site inspection prior to the City Commission hearing. Mr. Gardner stated that, based on The Commissioner's statement, Staff would see that a field check of the site was done.

**TMAPC ACTION: 7 members present**

On **MOTION** of **VANFOSSEN**, the TMAPC voted **6-1-0** (Doherty, Draughon, Kempe, Parmele, VanFossen, Woodard, "aye"; Paddock, "nay"; no "abstentions"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE PUD 433 Nichols (Lewis)**, as recommended by Staff and modified as follows:

- a) The applicant shall be in compliance as to any Inoperative/unlicensed vehicles prior to the City Commission hearing.
- b) Add to condition #4 regarding parking lot lighting, "and shall not create a light level greater than one-half foot candle at the location of any residence in the area".

**Legal Description:**

The S/2 of the W/2 of the E/2 of the SW/4 of the SW/4, Section 4, T-19-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma.

**OTHER BUSINESS:**

**PUD 313-2:** 2818 West 61st Place South, Lot 8, Block 5, Golf Estates II Amd.

**Staff Recommendation: Minor Amendment to Rear Yard Setback**

The subject tract is located at 2818 West 61st Place South and described as Lot 8, Block 5, Golf Estates II Amended Addition. The minimum rear yard setback per PUD 313 is 20'. The applicant is requesting that the rear yard be reduced from 20' to 17' per the submitted plot plan. Underlying zoning of this part of PUD 313 is RS-3. All other building setback requirements will be met. The subject tract is located at the end of a cul-de-sac and has an irregular shape.

Staff considers this request to be minor and recommends **APPROVAL** of PUD 313-2 per the submitted plot plan.

Comments & Discussion:

**Mr. Don Lloyd** (6121 South 29th West Avenue) stated he abutted the subject property on the west, and was also speaking for the neighborhood in general. He commented the original PUD was protested by the residents, and they also object to approval of this request, as they did not want to see the open space further encroached upon and crowded.

Ms. Kempe confirmed that Mr. Lloyd's residence was in the single-family portion to the west while this application was in the portion zoned for townhouse development.

Applicant's Comments:

**Mr. Howard Kelsey**, representing the owner of the subject tract, stated agreement with the Staff recommendation. Mr. Kelsey commented the obvious problem was the design constraint of being a cul-de-sac lot, which will probably be repeated as the subdivision develops further south. He pointed out that, while the PUD allowed zero lot line construction, the units were being built as single-family detached units in an effort to make the subdivision more compatible to the abutting dwellings, and to add more greenbelt space between the units.

Mr. VanFossen inquired if any thought had been given to moving the structure to the front of the property instead of the back. Chairman Parmele commented that the Engineering Department had indicated this might present a problem with the public street frontage. Mr. Kelsey stated they were pretty well "stuck" with this design configuration. Mr. VanFossen acknowledged that other instances may not have this flexibility due to visibility problems on a curve; however, he was just curious if this particular case might offer an alternative on lot placement. Mr. Kelsey advised that part of the problem was that there were some structures already in place, and they were trying to design new structure conducive with the existing ones, and still meet the Development Guidelines.

Mr. Doherty commented that, since the structure on Lot 9 was being remeasured, there was a possibility the applicant would be back before the Commission for relief on this lot as well. Therefore, he was hesitant to act on anything without knowing the status of the other structures. Ms. Kempe stated that the TMAPC has previously, on other PUD's, seen instances where changes in lot lines, etc. created a "domino effect", and this could very well be one of those situations.

Mr. Draughon stated concerns that, if this was going to keep coming up before the Commission on several other lots, then it appeared to him that this application was a major amendment. Mr. Gardner pointed out that this particular lot was only 106' deep while some of the lots around the cul-de-sac were 141' deep and would, therefore, present no problem with setbacks.

**PUD 313-2 Minor Amendment - Cont'd**

Ms. Kempe asked the applicant where further relief might be needed in the townhouse development. Mr. Kelsey stated an entire layout on the subdivision had not been completed. However, the problem was mainly with the assorted sizes of lots, and the design efforts to work within these constraints on a lot-by-lot basis.

Mr. VanFossen clarified with the applicant the window exposure on the western side, and that the structure was two story. He confirmed with Mr. Kelsey that they could change their configuration so as to not have any windows on the west. Ms. Kempe and Chairman Parmele voiced that they did not think three feet would make that much difference in having windows on the west side. Mr. VanFossen stated that he felt some concession should be made to make this more compatible for the abutting property owners. Therefore, he moved for approval with a condition that no windows be placed on the second story of the western exposure.

**TMAPC ACTION: 7 members present**

On **MOTION** of **VANFOSSEN**, the TMAPC voted **5-2-0** (Kempe, Paddock, Parmele, VanFossen, Woodard, "aye"; Doherty, Draughon, "nay"; no "abstentions"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE** the **Minor Amendment to Rear Yard Setbacks for PUD 313-2**, as recommended by Staff and as modified that no windows be permitted on the second story of the western exposure.

\* \* \* \* \*

**PUD 243-5 & PUD 243-6: NE/c of South Harvard and East 59th Place South**

**Staff Recommendation: Minor Amendment to Delete Detail Site Plan Requirement**

The subject tract has underlying RS-2 zoning with PUD 243 and is described as the Glenoak Addition located at the northeast corner of South Harvard Avenue and East 59th Place South. On October 7, 1987, the TMAPC approved PUD 243-5 and PUD 243-6 and a Detail Site Plan, continuing action until October 28, 1987 on a request to delete the Detail Site Plan requirement on all lots except for lots granted a 7' minimum rear yard which abut the Lot B common open space area; the applicant is not requesting Detail Site Plans be waived in these cases.

PUD 243 was originally approved for 51 lots with attached single-family development to be permitted on a zero lot line. Any changes from the original Outline Development Plan required submission of a Detail Site Plan. Concerns were included in the initial minutes about the "attached" construction and as to the possibility of it being considered a duplex. Under the original conditions in combination with a 20' minimum rear yard, a Detail Site Plan would seem a reasonable requirement. According to the applicant, the concept of the development has now changed and the remaining lots will be developed in a detached configuration. This

change, in the opinion of Staff, supports the request for deletion of the Detail Site Plan requirement (except for lots abutting Lot B which area permitted a 7' minimum rear yard) with the 20' minimum rear yard being a continued requirement.

Therefore, Staff recommends APPROVAL of PUD 243-5 and PUD 243-6 minor amendment to delete the Detail Site Plan requirement (except on Lots abutting Lot B - being Lots 23 - 43) subject to the development being of a detached single family character and maintaining a minimum 20' rear yard (said lots described as Lots 1 - 22, and 44 - 51).

**NOTE:** A continuing condition of PUD 243 is that 3,000 square feet of open space be provided on each lot exclusive of the residence, garage, porches, drives, or any other structures.

**TMAPC ACTION: 7 members present**

On **MOTION** of **KEMPE**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE** the **Minor Amendment to Delete the Detail Site Plan Requirement for PUD 243-5 and PUD 243-6**, as recommended by Staff.

\* \* \* \* \*

**Z-5636-SP:** North of the NW/c of the Broken Arrow Expressway and South Garnett Road, being 4500 South Garnett

**Staff Recommendation: Detail Sign Plan Review**

The subject tract, Lot 1, Block 2, Towne Center Addition is part of an approximate 20 acre tract that was rezoned to Corridor In 1982. It is located 500 feet north of the Broken Arrow Expressway on Garnett Road and contains a multi-story office building. The subject tract is abutted to the north by an apartment complex and to the south by a multi-story office building. Other abutting land east and west of the subject tract is vacant. As directed by the sign inspector in accordance with Section 850.2(h) of the Tulsa Zoning Code the applicant is now requesting Detail Sign Plan approval to permit a 98 square foot temporary real estate sign.

According to the applicant's submitted plans, the sign will be 14 feet in height and nonilluminated. The sign will be placed in an existing parking space at the southeast corner of the subject tract. The sign design and lettering will be consistent with existing signage on the property.

Based on the above information, Staff recommends **APPROVAL** of the Detail Sign Plan, subject to the applicant's submitted plans and for a one year time period. It is recommended that at the end of the one year the temporary sign be removed or application be made again for an extension of time. Prior approval should be obtained from the public or private agencies or utility companies if the proposed sign is to be installed on an easement.

**TMAPC ACTION: 7 members present**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE** the **Detail Sign Plan** for **Z-5636-SP**, as recommended by Staff.

\* \* \* \* \*

**PUD 430:** East of the NE/c of East 35th Street & South Peoria

**Staff Recommendation: Detail Site Plan, Detail Sign Plan and Declaration of Covenants**

The subject tract has an area of .32 acres and is located east of the northeast corner of East 35th Street and South Peoria. The applicant is requesting approval of a Detail Site Plan, Detail Sign Plan and Declaration of Covenants. PUD 430 has underlying zoning of OL and P, and a minor amendment was approved by the TMAPC on October 21, 1987 to include medical and dental offices in the permitted uses.

**Detail Site Plan & Detail Sign Plan:**

The proposed Detail Site Plan is in conformance with the approved PUD 430 Outline Development Plan. All development standards meet or exceed PUD conditions of approval. The submitted Detail Site Plan includes building elevations which have a Country English architecture featuring stone and cedar shingle siding, as required by the PUD. The proposed sign is in accordance with PUD 430 as to height and area.

Therefore, Staff recommends **APPROVAL** of the Detail Site Plan and Detail Sign Plan as follows:

- 1) That the applicant's Detail Site Plan and Detail Sign Plan be made a condition of approval.
- 2) **Development Standards:**

Land Area (Gross):	16,500 sf
(Net):	14,000 sf

Permitted Uses: Uses permitted by right in an OL District excluding funeral homes, clinics and laboratories.

Maximum Building Height:	One story not to exceed 26
Maximum Number of Buildings:	Two
Maximum Building Floor Area:	
West Building	1,920 sf; 1,920 sf proposed
East Building	1,680 sf; 1,558 sf proposed
Total	3,600 sf; 3,478 sf proposed
Minimum Off-Street Parking:	As required by the Zoning Code - 13 spaces proposed
Minimum Building Setbacks:	
from Centerline of East 35th	55'
from West boundary	18'
from East Boundary	7'
from North Boundary	40'
Minimum Landscaped Open Space:	8% *

- \* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation.
- 3) That all trash, mechanical and equipment areas shall be screened from public view.
  - 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas, and limited to a maximum height of 6' as per the PUD Text along the north and east boundaries.
  - 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code, and limited to a maximum of one ground identification sign not to exceed 5' tall and not to exceed a maximum display surface area of 20 square feet.
  - 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit. Plantings of a screening nature shall be added along the east boundary in front of the proposed building to provide a "living screen fence" 4' tall.
  - 7) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
  - 8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the county Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Declaration of Covenants:

The proposed Declaration of Covenants have been reviewed by Staff and found to be in accordance with PUD 430. Therefore, Staff recommends **APPROVAL** of the Declaration of Covenants, subject to approval by the City of Tulsa Legal Department.

TMAPC ACTION: 7 members present

On **MOTION** of **WOODARD**, the TMAPC voted **6-0-1** (Doherty, Draughon, Kempe, Parmele, VanFossen, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE** the **Detail Site Plan, Detail Sign Plan & Declaration of Covenants for PUD 430**, as recommended by Staff.

RESOLUTIONS:

RESOLUTION NO. 1667:649

Amending the Comprehensive Plan for the District 4 Plan Map & Text (Tulsa University Special District) to include the Tulsa University Master Plan, and related matters.

Comments & Discussion:

Mr. VanFossen raised the issue of street closings as referenced in the TU Master Plan, and was assured by Legal Counsel and Staff that street closings were under the jurisdiction of City statutes, and nothing could be done without City Commission approval and due process of public hearings, etc. In reply to Mr. Draughon, Ms. Matthews pointed out that the TMAPC concerns and feelings regarding street closings were a part of the public hearing minutes and would be conveyed to the City Commission with the resolution.

TMAPC ACTION: 7 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-1** (Doherty, Kempe, Paddock, Parmele, VanFossen, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE Resolution No. 1667:649** regarding the **District 4 Plan Map & Text to include the Tulsa University Master Plan**, as recommended by Staff and attached hereto.

\* \* \* \* \*

RESOLUTION NO. 1668:650

Adopting the Dirty Butter Creek Master Drainage Plan amending the Comprehensive Plan for the Tulsa Metropolitan Area, and amending the District Plans, as follows:

RESOLUTION NO. 1668:651

District 2 Plan Map & Text

RESOLUTION NO. 1668:652

District 3 Plan Map & Text

RESOLUTION NO. 1668:653

District 11 Plan Map & Text

RESOLUTION NO. 1668:654

District 25 Plan Map & Text

**TMAPC ACTION: 7 members present**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-1** (Doherty, Draughon, Kempe, Parmele, VanFossen, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Carnes, Crawford, Rice, Wilson, "absent") to **APPROVE** the Above Listed Resolutions, adopting the Dirty Butter Creek Master Drainage Plan, and amending the stated District Plan Maps & Text.

There being no further business, the Chairman declared the meeting adjourned at 3:05 p.m.

Date Approved 11-18-87  
[Signature]  
Chairman

ATTEST:  
[Signature]  
Secretary

